REMARKS/ARGUMENTS

Applicants respectfully request reconsideration of this application, as amended.

By this amendment, the objected to claims have been amended in accordance with the Examiner's recommendations.

Based at least on the following remarks, Applicants believe the claims are patentably distinguishable from the cited references. In particular, Independent Claim 1 recites, *inter alia*, receiving a message from a sender, the message comprising at least one recipient to receive the message and including at least one of a restriction identifier, the restriction identifier identifying a subset of recipients from among a set of possible recipients and an access restriction indicating a subset of points of access from among a set of points of access to access the message;

determining whether each identified at least one recipient is within the subset of recipients corresponding to the restriction identifier; and wherein at least one of the following steps is performed:

(i)   when the message comprises the restriction identifier and an identified at least one recipient is not within the subset of recipients, at least one of not providing access to the message to the identified at least one recipient who is not in the subset of recipients and notifying the sender that an identified at least one recipient is not within the subset of recipients; and

(ii)   when the message comprises the access restriction and an identified at least one recipient attempts to access the message from a point of access not within the subset of points of access, not providing access to the message to the identified at least one recipient whose point of access is not within the subset of points of access.

Independent Claim 16 recites, *inter alia*, receiving at least part of a message inputted by a user, the at least part of a message comprising at least one recipient to receive the message;

receiving, from the user, a restriction identifier for the at least part of a message, the restriction identifier identifying a subset of recipients from among a set of possible recipients ; and

when a restriction identifier is received, tagging the message with the restriction identifier.

Independent Claim 36 recites, *inter alia*, an input operable to receive at least part of a message inputted by a user, the at least part of a message comprising at least one recipient to receive the message, and a restriction identifier for the at least part of a message, the restriction identifier identifying a subset of recipients from among a set of possible recipients; and

when a restriction identifier is received, a processor operable to tag the message with the restriction identifier.

In distinct contrast, Olivier is directed to a method for enabling users to exchange group electronic mail by establishing individual profiles and criteria, for determining personalized subsets within a group. *Users establish subscriptions to an electronic mailing list by specifying user profile data and acceptance criteria data to screen other users.* When a user subscribes, a web server establishes and stores an individualized recipient list including each matching subscriber and their degree of one-way or mutual match with the user. When the user then sends a message to the mailing list, an email server retrieves 100% her matches and then optionally filters her recipient list down to a message distribution list *using each recipient's message criteria.* The message is then distributed to matching users. The user may specify acceptance criteria in the matching algorithm. The matching algorithm may be facilitated by including, in the email body or subject line, a keyword in brackets such as "[for sale]". (Emphasis Added)

Additionally, email archives and information contributions from users are stored in a database. A web server creates an individualized set of web pages for a user from the database, containing contributions only from users in his recipient list. In other embodiments, users apply one-way or mutual criteria matching and message profile criteria to other group forums, such as web-based discussion boards, chat, online clubs, USENET newsgroups, voicemail, instant messaging, web browsing side channel communities, and online gaming rendezvous.

The user can exclude particular subscribers and subjects from his interactions.

The user can override subscription settings when sending a message. The subscription settings are treated as "default settings", and the user can override any of the settings when sending a message. The user could specify this through additional codes in his email message body, or by using a web form when sending the message. The web form would include access to override those settings. The subscription matching process described in FIG. 5B and its related text are used to determine the distribution list for the present message being sent. The settings are not stored as the user's permanent settings. An example use is in a neighborhood mailing list for a user to send out a "for sale" message to neighbors within 10 miles of him, overriding his usual acceptance criteria data of neighbors within 3 miles of him. This feature would have to exist in conjunction with the previous feature, controlling delivery of reply email messages, so that recipients can answer to the same group.

Canale is directed to techniques for reducing the amount of junk e-mail received by a user of an e-mail system. A recipient description containing non-address information is added to an e-mail message. The user has an e-mail filter which has access to information which provides a model of the user. The e-mail filter uses the non-address information and the model information to determine whether the e-mail message should be provided to the user. The e-mail filter further has access to information which provides models of the user's correspondents. If the filter does not provide the message to the user, it uses the non-address information and the model information of the user's correspondents to determine who the message might be forwarded to. A sender of e-mail can also use the model information of the sender's correspondents together with the non-address information to determine who the message should be sent to. The techniques are used in a system for locating expertise.

A mail item of the type used in the invention is shown at 119; mail item 119 is a standard e-mail message except for two additional components:

1. recipient specifier 121 which uses non-address information to further describe the recipients who should receive the e-mail; and

2. referral list 127, which is a list of potential recipients who passed the e-mail on and of recipients to whom the e-mail was provided.

Recipient specifier 121 has two parts, recipient type field 123, which generally indicates how recipient specifier 121 is to be interpreted, and recipient description 125, which contains the non-address information which is actually used to determine whether mail item 119 is to be provided to a given recipient.

At col. 3, line 56, to col. 4, line 8, Canale teaches that the sender can control forwarding of the email. However, "forwarding" as used in this passage refers not to the ability of a recipient of an electronic mail to forward the email to others but rather to the forwarding of emails of user 105(n), by the user's corresponding mail filter 109, to other users.

Clarke is directed to systems and methods for providing secured messaging in a communications network environment. The network environment may include public communication channels or networks, such as the Internet. Embodiments of the invention may be implemented to facilitate secured electronic messaging between any combination of entities, such as one or more customer locations and a message center. Further, consistent with embodiments of the invention, arrangements may be provided to permit the servicing of customers within a network environment that integrates legacy systems associated with a message center.

Tsuei is directed to a system and methods for managing Internet e-mail address changes, particularly useful for situations where subscribers change Internet service providers. A computer system manages a database of stored records correlating a first e-mail address of an intended recipient, e.g. an old e-mail address, to a second e-mail address, e.g. a new e-mail address of the intended recipient. A program module in the computer system is responsive to an Internet query for accessing the database to determine whether a second e-mail address of the intended recipient is stored in association with a first e-mail address. Another program module is operative for providing the second e-mail address as a response to the query. The query response is communicated to the sender or to the sender's ISP so that an undeliverable message can be resent

to the new e-mail address. Also provided are security and authentication measures for ensuring that address change requests are valid and authentic.

In general, the above references, taken either alone or in combination, fail to teach or suggest (a) the use of restriction identifiers to prevent electronic mail distribution to a recipient designated by the sender, (b) the use of restriction identifiers to prevent access of electronic mail from a set of communication devices otherwise associated with a recipient, and (c) the use of restriction identifiers to limit the ability of an electronic mail recipient to forward the received electronic mail to others.

In contradistinction to the features of Independent Claim 1, the message from the sender includes the at least one of a restriction identifier that identifies a subset of recipients from among a set of possible recipients and an access restriction indicating a subset of points of access from among a set of points of access to access the message. With reference at least to col. 3, lines 11-13 and 38-39, col. 4, lines, 50-52, and col. 5, lines 18-22, it is abundantly clear that in Oliver, it is the end user, i.e., recipient, that is specifying the acceptance criteria data - not the sender as set forth in Independent Claims 1, 16 and 36.

In the remaining relied upon references fail to overcome the deficiencies noted above in relation to Oliver, Applicants this respectfully the independent claims are patentably distinguishable therefrom. The claims that depend therefrom are also allowably by virtue of their dependency and the feature(s) recited therein. For example, dependent claims 10, 26 and 46 include an age restriction. Applicants respectfully submit the relied upon portion of Oliver is directed toward a "subscription expiration date" - not an age limit of the message as claimed. Claims 11 and 27 specify that a timestamp indicates when a life of a message starts. There is noting in either the relied upon portion of the reference nor any other portion of the cited references that teaches a timestamp indicating when a life of a message starts. Claim 12, 28 and 48 state that the message includes the forwarding restriction and one of whether the message may be forwarded and to whom the message may be forwarded. In contrast, in Canale, it is the models that are determining forwarding, not a forwarding restriction ion the message itself.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:_____

Jason H. Vick
Registration No. 45,285
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
Date:_____   (303) 863-9700